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ARIZONA CORPORATION COMMISSION

March 23, 2009

ORIGINAL

To: Docket Control

RE: Far West Water & Sewer, Inc. - Customer Comments
Docket No. WS-03478A-08-0608

Please docket the attached 3 customer comments **OPPOSING** the above filed rate case.

Customer comments can be reviewed in E-docket under the above docket number.

Filed by: Utilities Division – Consumer Services

Arizona Corporation Commission
DOCKETED

MAR 24 2009

DOCKETED BY	
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2009 MAR 24 A 10:14
AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission Public Comment Form

Step 1

This form should be used for public comments pertaining to a specific pending case only. Please be sure to reference the appropriate docket number so your comments are filed in the docket promptly. Please use the Consumers Services Assistance Form for complaints, inquiries or general inquiries.

Step 2

*Sharon Gray
11303 E. 24th Pl.
Yuma, AZ 85367*

YOUR NAME <i>David Gray</i>	DATE <i>3/15/09</i>
ADDRESS, CITY, STATE AND ZIP <i>11303 E. 24th PL Yuma, AZ 85367</i>	YOUR PHONE NUMBER <i>928-271-5120</i>
DOCKET YOU WISH TO COMMENT ON: Request for an Emergency Rate Increase	DOCKET NUMBER WS-03478A-08-0608
CASE OR UTILITY NAME Far West Water and Sewer Company	YOUR POSITION ON THE DOCKET PRO <input type="radio"/> CON <input checked="" type="radio"/> OTHER <input type="radio"/>
YOUR E-MAIL ADDRESS	

Step 3

ENTER YOUR COMMENTS HERE:

Far West Water and Sewer Co. (FWWS) customers are protesting the application submitted by them, docket number WS-03478A-08-0608. According to a joint News Release from ADEQ and Arizona Attorney General's office, FWWS has had long standing violations. The neglect of their responsibility to maintain their sewer system resulted in their present crisis. The alleged "emergency" was a result of inadequate planning by FWWS to maintain compliance, not a "sudden change" as quoted by the company using Op Att'y Gen. 71-17 at 13. This does not constitute an emergency because it was not brought on suddenly, but rather was a result of the company's chronic lack of compliance. Now that ADEQ has required them to build adequate facilities, they want the customers to pay for their mismanagement. Please vote NO as this is not an emergency. Any financial hardship appears to be associated with poor management and therefore, is not the responsibility of their customers.

If you need additional space for your comments, please use the continuation page below.

Step 4

*This form may be completed electronically, printed and mailed to:
Arizona Corporation Commission, Consumer Services Section, 1200 W. Washington St.
Phoenix, Arizona 85007;*

or

*You may e-mail it as an attachment to:
mailmaster@azcc.gov*

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Step 2

YOUR NAME <i>Sharalee Rogers</i>	DATE <i>3/17/09</i>
ADDRESS, CITY, STATE AND ZIP <i>11147 E 25th Pl. Yuma, AZ. 85367</i>	YOUR PHONE NUMBER <i>(928) 344-6979</i>
DOCKET YOU WISH TO COMMENT ON: <i>Request for an Emergency Rate Increase</i>	DOCKET NUMBER <i>WS-03478A-08-0608</i>
CASE OR UTILITY NAME <i>Far West Water and Sewer Company</i>	YOUR POSITION ON THE DOCKET PRO <input type="radio"/> CON <input checked="" type="radio"/> OTHER <input type="radio"/>
YOUR E-MAIL ADDRESS <i>Speedracers2@juno.com</i>	

Step 3

ENTER YOUR COMMENTS HERE:

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Step 2

YOUR NAME Mary Howard	DATE 3/20/2009
ADDRESS, CITY, STATE AND ZIP 14772 E. 50th St., Yuma, AZ 85367	YOUR PHONE NUMBER (208) 869-4225
DOCKET YOU WISH TO COMMENT ON: Far West Water & Sewer Co. Emergency Rate Increase	DOCKET NUMBER WS-03478A-08-0608
CASE OR UTILITY NAME Far West Water & Sewer Company	YOUR POSITION ON THE DOCKET PRO <input type="radio"/> CON <input checked="" type="radio"/> OTHER <input type="radio"/>
YOUR E-MAIL ADDRESS mghoward@gmail.com	

Step 3

ENTER YOUR COMMENTS HERE:

Please see attached.

If you need additional space for your comments, please use the continuation page below.

Step 4

This form may be completed electronically, printed and mailed to:
Arizona Corporation Commission, Consumer Services Section, 1200 W. Washington St.
Phoenix, Arizona 85007;
or

You may e-mail it as an attachment to:
mailmaster@azcc.gov

RE: Docket No. WS-03478A-08-0454
Docket No. WS-03478A-08-0608

I am writing to oppose both the emergency and permanent rate increase requested by Far West Water & Sewer under the above referenced docket numbers. An increase of this magnitude is unjustifiable by any stretch of the imagination. In its application for rate increase Far West states that it needs to increase rates to pay for upgrading existing facilities and provide for future expansion as well as earn an 8+-% rate of return on their facilities. I would like to make the following comments regarding these issues.

Rick Stacks at Yuma County Development Services told me that in order to get permits to develop the Foothills properties H & S Development simply had to provide the county with a letter from Far West Water & Sewer that it could provide adequate water and sewer service to the properties. Not hard to do when ownership of both companies was intermingled. Far West either falsified those letters or did not build its treatment plants to the specifications necessary to adequately handle the volume it said it could accommodate. The resulting overload on the system and improperly treated sewage created an ongoing intolerable odor problem. Arizona Dept. of Environmental Quality finally investigated the problem and cited Far West with multiple violations. Now Far West is having to correct those violations which never should have occurred if the plants been correctly built for the volume it certified to the County that it could handle. There is plenty of blame to go around on this issue -- Far West for overstating its capability to the county and not building its plants to necessary specifications; Yuma County for not recognizing the inappropriateness of accepting certification from an entity (Far West) so closely tied to the land developer (H & S Development) without independent verification of adequacy; and Yuma County and/or Arizona DEQ for not properly inspecting treatment plant construction and operation. We trusted that government agencies and Far West would do their jobs professionally and provide us what was represented when we purchased -- an adequate and properly operating sewer system. However, as is all too common in this day and age, we seem to be left holding the bag and are now being asked to pay exorbitant rates to pay again for what we already paid for once in the price of our lot. Whatever expenses Far West has in bringing their facilities up to par should not be passed on to existing customers through rate increases. If they have inadequate resources and are forced into bankruptcy, then so be it. In no way is their problem our fault or our responsibility to correct. Perhaps bankruptcy would allow another competent private entity or county or state agency to step in and operate the system.

As far as the rate increase is requested to provide for facilities expansion to allow for future connections, I again object. Expansion of facilities for future growth should be paid for by impact fees assessed against the developer of new properties being added, not through rate increases paid by existing customers. Why are developers being allowed to continue to develop and sell lots in the Foothills when Far West is unable to adequately service the properties already online? As I write this letter today (3/20/09), there is still considerable sewer odor at the corner of Fortuna Rd. and South Frontage Road so their system is still not operating properly with the existing volume, let alone adding more.

I also object to Far West's rate structure in general. We own a lot on which we have two RV hookups. We currently pay \$21.75 a month for 12 months a year even though we occupy the lot only 4 months of the year. An RV park would currently pay \$10.88 a month for the same two RV hookups. How can that be considered equitable? Much of our area of the Foothills is occupied by part-time snowbirds, usually two-person households who are here 3 to 4 months of the year, yet we pay the same sewer charge as a family of 4 to 5 persons who are full-time residents. Again, how can this be equitable since

our impact on the system is much less than the larger family with full-time occupancy. Even the commercial rates seem out of order. A retail outlet or bank surely puts less waste into the system than a restaurant, laundromat or car wash. A fairer way to assess sewer fees would be metered service based on water useage. This would be easy for Far West to do since they also provide metered water service to the properties.

As far as the 8+% rate of return they are requesting, wouldn't we all like to have that kind of return? Unfortunately, that is not reality today. If they are able to make a 2 to 3% return in today's economy, I think they would be considered to be doing very well. Perhaps if they operated more efficiently and quit creating problems they later have to clean up, they could attain a reasonable 2 to 3% return with existing revenue.

I believe Far West has proven themselves incapable of properly operating a sewer system. It is also possible they have manipulated their financial statements to distort their ability to correct the problems they themselves caused and, instead, are looking to pass the burden on to existing customers. I respectfully request that you thoroughly investigate Far West's operations and finances as you consider this rate case and that you deny their request for both the emergency and permanent rate increases.